

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JOSEPH MICHAEL GIANNONE,
Plaintiff(s),
v.
NEVADA PROPERTY 1, LLC,
Defendant(s).

Case No. 2:24-cv-00627-NJK

Order

[Docket No. 49]

Pending before the Court is a stipulation to extend the joint proposed pretrial order deadline by another 60 days. Docket No. 49.

A request to extend unexpired deadlines in the scheduling order must be premised on a showing of good cause. Fed. R. Civ. P. 16(b)(4); Local Rule 26-3. The good cause analysis turns on whether the subject deadlines cannot reasonably be met despite the exercise of diligence. *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992). “[I]t is well-settled that the existence of settlement talks or the potential for alternative dispute resolution is not, standing alone, sufficient to establish good cause for an extension of the case management deadlines.” *Williams v. James River Grp. Inc.*, 627 F. Supp. 3d 1172, 1181 (D. Nev. 2022) (collecting cases). Modification of the case management schedule on that basis generally requires consideration of additional circumstances. *See id.* at 1181 n.8.¹

The instant stipulation is centered on the fact that Defendant's new counsel continues to evaluate the case and coordinate with Defendant regarding settlement and a potential second mediation. Docket No. 49 at 3.² Counsel appeared more than two months ago, Docket No. 47,

¹ For example, the Court is much more inclined to allow such relief when “a concrete date is set in the relative near-term by which the settlement discussions or alternative dispute resolution will be completed.” *Id.*

² The parties already participated in a mediation last year. *See id.* at 2.

1 and the parties have been discussing settlement and a second potential mediation for some time,
2 Docket No. 42 at 3; Docket No. 48 at 2. Given the circumstances, the Court will provide a 14-day
3 extension at this time. If the parties seek more time for a mediation, any renewed stipulation must
4 provide a concrete date on which that mediation is set and must address the other specific
5 considerations to support that request. *See Williams*, 627 F. Supp. 3d at 1181 n.8.

6 Accordingly, the stipulation to extend is **GRANTED** in part and **DENIED** in part. The
7 deadline to file the joint proposed pretrial order is **EXTENDED** to August 5, 2025.

8 IT IS SO ORDERED.

9 Dated: July 17, 2025

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11 Nancy J. Koppe
United States Magistrate Judge

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